

Sarah Ferguson (NSBN 14515)  
Jake T. Ward-Herzik (NSBN 16340)  
Parsons Behle & Latimer  
50 W. Liberty Street, Suite 750  
Reno, NV 89501  
Telephone: (775) 323-1601  
[sferguson@parsonsbehle.com](mailto:sferguson@parsonsbehle.com)  
[jward-herzik@parsonsbehle.com](mailto:jward-herzik@parsonsbehle.com)

John G. Hansen (KSBN 23184)  
McCoy Leavitt Laskey LLC  
8700 Monrovia Street, Suite 310  
Lenexa, KS 66215  
Telephone: (913) 647-7504  
[jhansen@mlllaw.com](mailto:jhansen@mlllaw.com)  
(Admitted Pro Hac Vice)

H. Brook Laskey (NMSBN 8992)  
McCoy Leavitt Laskey LLC  
317 Commercial Street NE, Suite 200  
Albuquerque, NM 87102  
Telephone: (505) 246-0455  
[blaskey@mlllaw.com](mailto:blaskey@mlllaw.com)  
(Admitted Pro Hac Vice)

*Attorneys for Defendant*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

DELTA SALOON, INC., a Nevada  
Corporation,

Plaintiff,

vs.

AMERIGAS PROPANE, L.P., a  
Pennsylvania Limited Partnership; DOES I  
through X and ROE CORPORATIONS XI  
through XX,

Defendants.

CASE NO.: 3:19-cv-00748-CSD

**STIPULATION AND ORDER EXTENDING  
JOINT PRETRIAL ORDER DEADLINE**

**(First Request)**

Plaintiff Delta Saloon, Inc. ("Plaintiff"), Defendant AmeriGas Propane, L.P. ("AmeriGas," collectively the "Parties"), by and through their attorneys of record, have met and conferred regarding the Joint Pretrial Order deadline in this case and respectfully request the Court amend its Order regarding the timing of the Pretrial Order (ECF No. 134) as outlined

1 herein.

2 This request for additional time is not made for the purpose of delay, but rather to ensure  
3 that the Parties are able to file a thorough and complete Joint Pretrial Order with the Court. On  
4 March 28, 2024, the Court filed its Order on AmeriGas's Motion for Summary Judgment (ECF  
5 No. 138) wherein, among other things, it ordered the parties to file their Joint Pretrial Order  
6 within 30 days.

7 The Parties have been diligently working on their respective portions of the Joint Pretrial  
8 Order and have individually completed the uncontested facts and contested facts. They have also  
9 mostly completed their individual exhibit lists and deposition designations. Though the Parties  
10 have an excellent working relationship, they expect that finalizing their individual portions and  
11 then conforming them into one Pretrial Order will take a significant amount of time. This is  
12 especially true given the extent of discovery in this matter. However, the Parties anticipate they  
13 will be able to come to an agreement and will provide the Court with a substantive Pretrial Order  
14 that will help streamline trial for the Court and the Parties. Moreover, this request is necessary to  
15 accommodate Plaintiff's counsel's trial schedule.

16 In addition, the Parties expect the trial will last 7-10 court days and have tentatively  
17 agreed to the following possible trial dates for the commencement of trial<sup>1</sup>:

18 **January 13, 2025**

19 **January 20, 2025**

20 **January 27, 2025**

21 Accordingly, the Parties seek an extension of the current deadline from April 26, 2024 to  
22 and including May 24, 2024. Consistent with LR 26-3, the Parties note that there is good cause to  
23 extend the remaining deadline, as discussed in the forgoing. Additionally, this extension will not  
24 cause any delay in the case as discovery is complete and trial is still months away.

25 ///

---

27 <sup>1</sup> The Parties respectfully request a 2025 trial date to accommodate counsel Sarah  
28 Ferguson's parental leave which is expected to run from June-October 2024. These dates will also  
be included in the Pre Trial Order, consistent with the Local Rules.

Accordingly, the Parties, hereby agree to the following revised deadline:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
<b>a. Close of Discovery:</b>	<b><i>Completed</i></b>	
<b>b. Amend Pleadings or Add Parties:</b>	<b><i>Completed</i></b>	
<b>c. Expert Disclosure Reports:</b>		
<b>i. Initial Expert Disclosures:</b>	<b><i>Completed</i></b>	
<b>ii. Rebuttal Expert Disclosures:</b>	<b><i>Completed</i></b>	
<b>d. Dispositive Motions Filed:</b>	<b><i>Completed</i></b>	
<b>e. Joint Pre-Trial Order:</b>	<b>April 26, 2024</b>	<b>May 24, 2024</b>

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

This request is made in good faith and not for purposes of delay.

Dated this 23<sup>rd</sup> day of April, 2024.

Dated this 23<sup>rd</sup> day of April, 2024.

JAHRMARKT & ASSOCIATES

PARSONS BEHLE & LATIMER

/s/ John Jahrmarkt

John Jahrmarkt (CSBN 175569)  
2049 Century Park East, Suite 2525  
Los Angeles, CA 90067  
Telephone: (310) 226-7676  
(Admitted Pro Hac Vice)

Elliot S. Blut (NSBN 6570)  
Blut Law Group  
300 S. Fourth Street, Ste. 701  
Las Vegas, NV 89101  
Telephone: (702) 384-1050

*Attorneys for Plaintiff  
Delta Saloon, Inc.*

/s/ Sarah Ferguson

Sarah Ferguson (NSBN 14515)  
Jake T. Ward-Herzik (NSBN 16340)  
50 W. Liberty Street, Suite 750  
Reno, NV 89501  
Telephone: (775) 323-1601  
[sferguson@parsonsbehle.com](mailto:sferguson@parsonsbehle.com)  
[jward-herzik@parsonsbehle.com](mailto:jward-herzik@parsonsbehle.com)

John G. Hansen (KSBN 23184)  
McCoy Leavitt Laskey LLC  
8700 Monrovia Street, Suite 310  
Lenexa, KS 66215  
Telephone: (913) 647-7504  
[jhansen@mlllaw.com](mailto:jhansen@mlllaw.com)  
(Admitted Pro Hac Vice)

H. Brook Laskey, Esq. (NMSBN 8992)  
McCoy Leavitt Laskey LLC  
317 Commercial Street NE, Suite 200  
Albuquerque, NM 87102  
Telephone: (505) 246-0455  
[blaskey@mlllaw.com](mailto:blaskey@mlllaw.com)  
(Admitted Pro Hac Vice)

*Attorneys for Defendants*

This case is scheduled for jury trial before the Honorable Craig S. Denney at Reno, Nevada, on **Monday, January 13, 2025, at 9:00 a.m.**

IT IS SO ORDERED.

  
UNITED STATES MAGISTRATE JUDGE

DATED: April 23, 2024